

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 24-3006

UNITED STATES OF AMERICA,

Appellee,

v.

PETER NAVARRO,

Appellant.

**MOTION OF THE UNITED STATES TO STRIKE BRIEF
AND APPOINT AMICUS CURIAE**

Appellee, the United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully moves this Court to strike the brief of the United States, and to appoint amicus curiae to defend the district court's judgment. Counsel for appellant have advised that they do not oppose the motion to strike the brief of the United States. Although appellant Navarro wishes to press his appeal, his counsel have indicated that they oppose the motion to appoint amicus curiae.

Specifically, on April 8, 2025, the Court granted the government's unopposed motion to continue oral argument and directed the parties to

submit a status report by August 29, 2025, indicating “whether supplemental briefing is needed and whether the government wishes to continue to prosecute this criminal appeal or to have it dismissed.” The parties are filing a joint status report today.

In response to the Court’s April 8, 2025, order, and following review, the Department of Justice has determined that it is no longer taking the same position as the prior administration in this case. Accordingly, the United States respectfully moves to strike its brief in the above-captioned appeal. As appellant intends to continue prosecuting this appeal, the United States submits that the Court should appoint amicus curiae to defend the district court’s judgment and conviction in supplemental briefing and oral argument.

CONCLUSION

WHEREFORE, the United States respectfully requests that this Court strike the Brief of the United States in this case and appoint amicus curiae to defend the judgment of the district court.

Respectfully submitted,

JEANINE FERRIS PIRRO
United States Attorney

CHRISELLEN R. KOLB
Assistant United States Attorney

/s/

MARK HOBEL
D.C. BAR #1024162
Assistant United States Attorney
601 D Street, NW, Room 6.232
Washington, D.C. 20530
(202) 252-6829
mark.hobel@usdoj.gov

CERTIFICATE OF COMPLIANCE WITH RULE 27(D)

I HEREBY CERTIFY pursuant to Fed. R. App. P. 32(g) that this motion contains 258 words, and therefore complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A). This motion has been prepared in 14-point Century Schoolbook, a proportionally spaced typeface.

/s/

MARK HOBEL

Assistant United States Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have caused a copy of the foregoing motion to be served by electronic means, through the Court's CM/ECF system, upon counsel for appellant, John P. Rowley III, Esq., jrowley@secillaw.com, Stanley M. Brand, Esq., stanleymbrand@gmail.com, and John S. Irving, Esq., john.irving@earthandwatergroup.com, on this 29th day of August, 2025.

/s/

MARK HOBEL

Assistant United States Attorney